

IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL

Writ Petition No. 1413 (S/S) of 2004

1. Sher Ali, son of Sri Nanhe, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Tikadia Dam, District – Nainital
2. Chatra Pal Singh, S/o Sri Ram Swaroop Singh, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Maldhan Chaur, District – Nainital.
3. Mahendra Pal Singh, S/o Budh Singh Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Maldhan Chaur, District – Nainital
4. Ram Kishore Sharma, S/o Sri Ram Swaroop Sharma, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Maldhan Chaur, District – Nainital
5. Mohd. Hanif, S/o Nazeer Ahmad, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Gopal Nagar, District – Nainital
6. Laddan Khan, S/o Sri Bholu Khan, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Devipura, District – Nainital
7. Pakesh Kumar, S/o Sri Ram Ballabh Singh, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Devipur, District – Nainital
8. Virendra Singh, S/o Raghubir Singh, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Gopal Nagar, District – Nainital
9. Mohd. Hanif, S/o Abdul Rasheed, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Gopal Nagar, District – Nainital
10. Bishan Devi, wife of Sri Mahendra Pal Singh, Assistant Teacher Kanya Purva Madhyamik Vidyalaya, Maldhan Chaur, District – Nainital

...Petitioners

Versus

1. Joint Director of Education, Kumaun Mandal, Nainital.

2. Basic Shiksha Adhikari (Service) Nainital.
3. Basic Shiksha Adhikari, Udham Singh Nagar.

...Respondents

Sri S.S. Yadav, learned counsel for the petitioner.
Learned Standing Counsel for the State.

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.S. Yadav learned counsel for the petitioners and learned Standing Counsel for the respondents, who has accepted the notices on behalf of respondents.

Petitioners were Assistant Teachers in Junior Section prior to bifurcation of District – Udham Singh Nagar from Nainital. In the year 1997 options were invited from the petitioners to work either in Udham Singh Nagar or in Nainital. Petitioners have opted to work in District – Udham Singh Nagar. However, no action has been taken by the respondents on the option made by the petitioners to work in Udham Singh Nagar. Petitioners have made representation with a prayer to the Authority concerned to take final decision on the option given by them. The last representation has been made by the petitioners on 26.9.2004.

In the facts and circumstances stated above it is just and proper to direct the respondents to take decision on the representation dated 26.9.2004 within a period of three weeks from the date of production of certified copy of this order.

With this direction the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

December 04, 2004:

S.K.Sharma